BANN NAVIGATION BILL

PRESENTED in pursuance of an Order of the Honourable The House of Commons dated 3 May 1851,—for

COPY of the REPORT of the BOARD OF WORKS in *Ireland* on the "BANN NAVIGATION BILL."

Sir, Irish Office, London, 13 May 1851

HEREWITH I have the honour to enclose, for the information of the Lords Commissioners of Her Majesty's Treasury, observations relating to certain clauses in the Bann Navigation Improvement Bill, which appear to be objectionable

The observations have been prepared by the solicitor, and approved of by the Board of Public Works.

I have, &c.

Sir Charles Trevelyan, K C, B. (signed) *Richard Griffith*

BANN NAVIGATION COMPLETION ACT

Sect. 5 Sect. 9

It requires consideration whether officials should be incorporated as Commissioners for a project of this kind, and particularly so, when meetings may be held on notice so that it would be impracticable for those officials to attend even by proxy If there are to be official Commissioners, it would be better to give them a control

The recitals in this clause are all wrong in point of fact, inasmuch as no award has been made by the Commissioners of Public Works as represented, nor can they, for some years hence when the works will be completed, make an award, so that until then, even under this Bill, no assessment could be made

All that has been done by the Commissioners of Public Works is to publish their declaration under the Drainage Acts and which declaration was of necessity made preliminary to commencing their works, such declaration being merely a probable estimate of expenses, showing the proprietors and their lands proposed to be charged with the expense of the drainage operations, and the baronies, parishes and townlands, &c to be charged with a moiety of the expenses of the navigation, thus giving all parties, counties and baronies, an opportunity of considering the proposed works, and either objecting or assenting thereto, the majority, on due consideration, carrying the minority with them, and the parties who gave their assent being much influenced by the fact of a free grant having been made by the Government of a moiety of the navigation expenses, no such assistance being contemplated in the present measure This Bill does not give parties an opportunity of objecting, but compels them to submit to a tax, uncertain in amount, to be applotted by the secretary, and imposed for the purposes of the Bill, viz! —

Sect 10

Sect 13 Sect 47

1st To pay the expenses of the Bill with interest thereon

2d In payment of a claim of 6,500 *l.* of the Port Rush Harbour Commissioners

3d In making such improvements as the Commissioners acting under this Bill may think right

The money to be all borrowed for these purposes, without any stock or fund being formed or made up by the parties promoters of the measure

It appears very doubtful from this Bill whether it is to be the lands of proprietors or baronies and townlands which are to be charged for this new navigation It would be unjust to charge either upon the data referred to by the Bill

The navigation of the district proposed by the Commissioners of Public Works

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Works is much more extensive than that proposed by this Bill, and it would be wrong in principle to saddle all the same baronies with the navigation from the Salmon Leap to Coleraine.

Many of the baronies and townlands to be charged by the Commissioners of Public Works for their navigation are totally independent of, and unconnected with, the navigation proposed by this Bill.

It is against all principle of the Public Works Loan Acts to lend, as proposed by this Bill, for the purpose of paying off the expenses of procuring an Act of Parliament, or paying an existing debt to third parties. Further, it is to be borne in mind that the Port Rush Harbour Commissioners now owe a debt to the Commissioners of Public Works, amounting to a principal sum of - - - - - - - - - - - - - - £. 3,971 16 1
with for interest thereon up to the 30th day of December last - - - - - - - - - - - - - - 77 16 2

£ 4049 12 3

That the principle upon which the Legislature has given power to the Commissioners of Public Works to charge a district with a general measure of inland navigation should not be held as applicable to the operation of private or local bodies, in both of which relations the promoters of the present measure will stand (when the rights and interests of the Port Rush Harbour Company are purchased, as proposed by the Bill)

Letter from Mr. Hornsby to Sir C Trevelyan, dated the 25th day of May 1850

In conclusion, the Commissioners of Public Works, while (as already expressed) they entertain the opinion in favour of improving the Port of Coleraine, they consider the mode of raising the money and taxing localities (some of which are not benefited by the measure proposed by the Bill) to be objectionable.

(signed) *R. Griffith.*

BANN NAVIGATION BILL.

Copy of REPORT of the Board of Works in *Ireland* on the Bann Navigation Bill.

(Mr. Caulfield.)

Order 29, *by The House of Commons to be Printed*, 28 *May* 1850.

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